IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CRIMINAL JURISDICTION

CRIMINAL WRIT PETITION NO.2061 OF 2006

Indian Recreation Trust ... Petitioner

versus

The State of Maharashtra & ors...Respondents

Mr.S.M.Oak, Advocate for Petitioner

Ms.S.D.Shinde, APP for Respondents

CORAM : J.N.PATEL AND

SMT.ROSHAN DALVI, JJ

DATED : 5th October, 2006

P.C.

1. Heard learned counsel for the petitioner and the A.P.P.

2. The petition can be disposed of at the stage of admission itself.

3. The petitioner has come up with a grievance that the respondents be directed to consider the application of the petitioner for grant of licence to the Indian Recreation Trust. It is submitted that on an earlier occasion, there were certain deficiencies because of which the application was not taken up for consideration by the licencing authority. Now, the petitioner has made up for all the deficiencies and therefore, the petitioner seeks direction of this Court to the respondent no. 2 to decide the application/representation dated 12th December, 2003, and 27th July, 2005 filed by the petitioner in the office of the respondent no.2 and consider the grant of licence for the club which is in accordance with the Act by ignoring the letter dated 19th July, 2005 issued by the office of the respondent no.2

5. It will be proper that the petitioner makes a fresh application to the licencing authority within a period of two weeks and if such an application is made along with all the required N.O.Cs and clearances for the purpose of having a club house and is complete in all respects, the respondent no. 2 which is the licencing authority shall take a decision in the matter for grant of licence within

a period of four weeks from the date of receipt of the application.

6. Petition stands disposed of accordingly.

7. The petitioner to communicate this order to the licencing authority.

(Smt R.S.Dalvi,J) **(J.N.Patel,J)**